

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

PATRICK A. DADD,

Plaintiff,

v.

ORDER

Civil File No. 14-4933 (MJD/BRT)

ANOKA COUNTY, et al.,

Defendants.

Zorislav R. Leyderman, The Law Office of Zorislav R. Leyderman, Counsel for Plaintiff.

Andrew T. Jackola, Anoka County Attorney's Office, Counsel for Defendants.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Becky R. Thorson dated May 4, 2015. Defendants filed objections to the Report and Recommendation.

The Court has reviewed the records submitted by the parties [Docket Nos. 12, 19] and concludes that the decision not to consider these documents is properly within the Court's discretion. Additionally, even if the Court had considered these documents, the analysis of the motion to dismiss would have remained the same. Pursuant to statute, the Court has conducted a de novo

review upon the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Thorson dated May 4, 2015.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. The Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Becky R. Thorson dated May 4, 2015 [Docket No. 23].
2. Defendants' Rule 12(b)(6) Motion to Dismiss the Complaint [Docket No. 10] is **DENIED**.

Dated: June 24, 2015

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court